

RICK A. YARNALL  
CHAPTER 13 BANKRUPTCY TRUSTEE  
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Suite 820  
Las Vegas, NV 89101  
(702) 853-4500

E-FILED

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

IN RE:  
BEATRIZ WACH

CASE NO: BKS-09-23449-MKN

CHAPTER 13

Hearing Date: November 24, 2009

Hearing Time: 1:30 pm

SANCHEZ LAW GROUP LTD  
Attorney for the Debtor

**TRUSTEE'S OPPOSITION TO CONFIRMATION OF PLAN #2  
COMBINED WITH TRUSTEE'S RECOMMENDATION FOR DISMISSAL**

The Trustee herein, Rick A. Yarnall, hereby objects to confirmation of Plan and hereby represents the following:

The debtor(s) filed for Chapter 13 relief on 07/27/2009. The 341(a) Meeting of Creditors held on September 14, 2009 at 2:00 pm was:

- concluded

The Trustee objects to confirmation of the Chapter 13 Plan for the following reason(s):

- The Trustee objects to the exemption(s) claimed [B.R.4003(b)]. As a result of the objection, the proposed Plan may fail to meet liquidation value [11 USC 1325 (a)(4)]. HOME CLAIMED AS EXEMPT NOT RESIDENCE
- Other: Trustee objects that plan distribution is not equal monthly payments pursuant to 11 U.S.C. §1325(a)(5)(B); Attorney to file Fee Application to establish basic service fees; Attorney to file 506(a) motion for collateral valuation prior to confirmation hearing; Objection to §6.02-6.10 as it does not comply with 11 U.S.C. §1325(a)(1);
- Amendment to B22(c): Rental income received
- The debtor(s) has failed to cooperate with the Trustee [11 USC 521 (3)] as the following document(s) were not provided:
  - Tax returns: 2005-2008 (non-filing spouse returns)
  - Other: Tender copies of all insurance policies to reflect Rick Yarnall, Trustee as loss payee beneficiary; copy of most recent mortgage statement;
- Plan Terms Incomplete: Sec 2.13.1
- Plan - Other issues: Objection to the alteration of standard language in Sec 5.03 in contradiction of statement that the verified statement that preprinted text of plan form as not been altered other than any changes stated in Sec 6.02

THEREFORE, the Trustee objects to confirmation for the foregoing reasons and recommends that this case be dismissed and that the Trustee be allowed administrative expenses in the amount of \$150.00 per quarter the case is pending.

Dated: November 19, 2009

/s/ Rick A. Yarnall

Rick A. Yarnall, Chapter 13 Trustee

**CERTIFICATE OF NOTICE**District/off: 0978-2  
Case: 09-23449User: wenszellg  
Form ID: pdf891Page 1 of 1  
Total Noticed: 20

Date Rcvd: Nov 20, 2009

The following entities were noticed by first class mail on Nov 22, 2009.

db +BEATRIZ WACH, 3906 CHASEWOOD, CRESTWOOD, KY 40014-9509  
 cr +HSBC Bank Nevada, N.A., Bass & Associates, P.C., 3936 E. Ft. Lowell Rd, Suite 200,  
 Tucson, AZ 85712-1083  
 5314126 AMERICAN EXPRESS BANK FSB, C/O BECKETT AND LEE LLP, POB 3001, MALVERN PA 19355-0701  
 5029718 +Americas Servicing Co, Acct No 1061205201243, 7485 New Horizon Way,  
 Frederick, MD 21703-8388  
 5029719 +Amex, Acct No -3499914831947833, P.O. Box 981537, El Paso, TX 79998-1537  
 5295012 +CAPITAL ONE BANK (USA), N.A., C/O TSYS DEBT MANAGEMENT (TDM), PO BOX 5155,  
 NORCROSS, GA 30091-5155  
 5029720 +Cap One, Acct No 486236250915, Po Box 85520, Richmond, VA 23285-5520  
 5029721 +Chase, Acct No 418586630653, Po Box 15298, Wilmington, DE 19850-5298  
 5343334 Chase Bank USA NA, PO BOX 15145, Wilmington DE 19850-5145  
 5170453 +HSBC BANK NEVADA, N.A., Bass & Associates, P.C., 3936 E. Ft. Lowell Road, Suite #200,  
 Tucson, AZ 85712-1083  
 5387505 +HSBC Bank Nevada, N.A., by PRA Receivables Management, LLC, PO Box 12907,  
 Norfolk VA 23541-0907  
 5029723 +Hsbc Bank, Acct No 601138003521, Po Box 5253, Carol Stream, IL 60197-5253  
 5029724 Hsbc Bank, Acct No 350119222714, Po Box 52530, Carol Stream, IL 60196  
 5029725 +Hsbc/Bstby, Acct No 169601-0013693650, 1405 Foulk Road, Wilmington, DE 19803-2769  
 5157245 Merrick Bank, c/o Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368  
 5029726 +Merrick Bank, Acct No 4120613050678751, Po Box 5000, Draper, UT 84020-5000  
 5236628 +PRA Receivables Management, LLC, As Agent Of Portfolio Recovery Assocs., PO Box 12914,  
 NORFOLK VA 23541-0914  
 5120161 +US BANK C/O, AMERICA'S SERVICING CO, ONE HOME CAMPUS, DES MOINES, IA 50328-0001  
 5029727 +Wells Fargo Card Services, Acct No 897029620, PO Box 10347, Des Moines, IA 50306-0347

The following entities were noticed by electronic transmission on Nov 20, 2009.

5029722 +E-mail/PDF: gecsed@recoverycorp.com Nov 21 2009 06:25:38 Gemb/Sams Club,  
 Acct No 771411006565, Po Box 981400, El Paso, TX 79998-1400

TOTAL: 1

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr US BANK

TOTALS: 1, \* 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Nov 22, 2009

Signature:

